

ducing the effects claimed: "For Pyorrhea, Strengthens Soft and Bleeding Gums, * * * For Pyorrhea, Soft and Bleeding Gums."

On March 10, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17914. Adulteration and misbranding of Galpin's antiseptic vaginal suppositories. U. S. v. 10 Packages of Galpin's Antiseptic Vaginal Suppositories. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25826. I. S. No. 20009. S. No. 4024.)

Examination of samples of a drug product, known as Galpin's antiseptic vaginal suppositories, from the herein-described shipment having shown that the labels bore claims of curative and therapeutic properties that the article did not possess, and that it was not antiseptic, the Secretary of Agriculture reported the matter to the United States attorney for the District of Connecticut.

On January 28, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 10 packages of Galpin's antiseptic vaginal suppositories, remaining in the original unbroken packages at New Haven, Conn., alleging that the article had been shipped by H. T. Galpin (Inc.), from Amityville, L. I., N. Y., on or about November 1, 1930, and had been transported from the State of New York into the State of Connecticut, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of boric acid, a quinine compound, and ammonia alum in a base of theobroma oil. Bacteriological examination showed that the article was not antiseptic.

It was alleged in the libel that the article was adulterated in that it fell below the professed standard or quality of "Antiseptic," stated on the label.

Misbranding was alleged for the reason that the statement on the label, "Antiseptic Vaginal Suppositories," was false and misleading. Misbranding was alleged for the further reason that the following statements appearing on the package label and in the accompanying leaflet, regarding the curative or therapeutic effects of the article, were false and fraudulent, since it contained no ingredient or combination of ingredients capable of producing the effects claimed: (Package) "For the Diseases of Women. A harmless and reliable treatment for disordered and disturbed conditions of the womb and other female organs. Of great value in Leucorrhoea and other local inflammatory conditions of the Vagina;" (leaflet) "Leucorrhoea.—Referable to local congestion and inflammation of the womb, mainly around its neck, called the Cervix. * * * According to the severity of the disease use one cone every twelve or twenty-four hours. In the beginning of the treatment, when there is much erosion or ulceration, the action of the cone may cause some smarting, but after a few days' treatment and the recovery has begun, this will disappear. Preventive of Diseases.—These suppositories * * * have a strong tendency to prevent infective diseases of the genitourinary tract, * * * Painful menstruation not due to mechanical causes and a faulty position of uterus and cervix. Use one cone every night * * * Malignant Diseases.—While these cones have no curative effect in these conditions, * * * helping her general health."

On March 12, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17915. Adulteration and misbranding of Extracto de Hígado de Bacalao de Wampole. U. S. v. 54 Bottles of Extracto de Hígado (de Bacalao) de Wampole. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25823. I. S. No. 5743. S. No. 4046.)

Examination of a sample of a drug product, known as Extracto de Hígado de Bacalao (extract of liver of cod) de Wampole, from the herein-described shipment, having shown that the labeling bore claims of curative and therapeutic properties that the article did not possess, and vitamin tests having shown that the product was devoid of the characteristic vitamins of cod-liver oil, the Secretary of Agriculture reported the fact to the United States attorney for the District of Porto Rico.

On January 27, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 54 bottles of Extracto de Higado de Bacalao de Wampole, alleging that the article had been shipped by Henry K. Wampole & Co. (Inc.), Philadelphia, Pa., to San Juan, P. R., on or about December 20, 1930 (Dec. 6, 1930), and was being sold and offered for sale in Porto Rico by Serra, Garabis & Co. (Inc.), San Juan, P. R., and charging adulteration and misbranding in violation of the food and drugs act as amended.

The article was labeled in the Spanish language in part: (On the wrapper) "Improved and tasteless Preparation of the Extract of Cod Liver * * * Formula for 100 grams: Extract of Cod Liver * * * 2.238 gms.; Wild Cherry, 4.295 gms.; Malt Extract (Diastatic), 0.387 gms.; Hypophosphite of Calcium, 0.097 gms.; Hypophosphite of Sodium, 0.097 gms.; Hypophosphite of Potassium, 0.097 gms.; Hypophosphite of Manganese, 0.024 gms.; Iron Pyrophosphate, 0.048 gms.; Quinine Sulphate, 0.024 gms.; Strychnine Sulphate, 0.005 gms.; and Aromatics q. s."

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, (in Spanish) "Extract of Cod Livers."

Misbranding was alleged for the reason that certain statements appearing on the label in Spanish, of which the following is a translation, were false and misleading: (Wrapper and bottle) "Perfected and Tasteless Preparation of Extract of Liver of Cod * * * contains a solution of an extract which is obtained from fresh cod livers;" (circular) "With the extract of cod liver." Misbranding was alleged for the further reason that certain statements appearing in Spanish on the wrapper label, and in the accompanying circular, of which the following is a translation, were false and fraudulent, since the article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper) "The rapid increase in health and strength that is felt by those persons that carefully follow the instructions given herewith, will attest the repair value of this preparation as a Reconstituent Tonic in recovering from diseases of acute character, and as an appreciable addition in the treatment of Phthisis (Consumption), Pulmonary Diseases, Bronchitis, Obstinate Coughs, * * * Nervous Debility, Affections due to exhaustion of the nervous system or due to Anaemia, Chlorosis, Emaciation, Scrofula and Disorders of the Blood, Prostration due to Fevers and in Convalescence;" (circular) "Do Not Neglect Yourself. The various symptoms of a debilitating condition which every person recognizes in himself, are signs that under no circumstances should be ignored, because otherwise, the germs of diseases will increase, with great danger of fatal consequences. The germs of phthisis may be absorbed by the lungs at any time, incubating and multiplying themselves with rapidity, unless the system is well fed to the extent of resisting their attacks. The Wampole Preparation * * * fortifies the system against all changes of temperature which invariably produce Cough, Catarrh, Grippe, Influenza, Phthisis, Pneumonia and diseases due to debility of the lungs and rachitic constitution. Taken on time, it fortifies the organism against phthisis. Men whose systems are exhausted because of the preoccupations due to their business, or to excesses or by body afflictions, will find in the Wampole Preparation, an aperitive reconstituent tonic that will fortify their systems and will invigorate the imagination and body, so necessary to recover the losses due to diseases. Women of delicate health, of weak and exhausted constitution, pale, nervous and languid, require a remedy that will give them strength, vitality and will enrich the blood and will fortify their debilities which are the cause of all their troubles. The Wampole Preparation feeds the body. Girls who are entering into womanhood with pale faces and weakness due to poor growth, should have nutrition that will give them vigorous and robust health. Wampole Preparation taken before meals, increases the appetite, aids digestion and fortifies the lungs and weak bones. Children take it with pleasure. For this reason, progressive physicians prescribe it with excellent results in reconstructing the systems of pale, rachitic, exhausted and scrofulous children, especially in those suffering from Anaemia and diseases of the blood, making them capable of becoming sound men and women. Infants become weak and thin when their systems are weakened by bad digestion. Then is when their systems require that their mothers should feed them, who are at the same time, weak and exhausted and unable to do it. The Wampole Preparation supplies what they need and it

is easily digested by the most delicate stomach. Diseases of the Blood: When the blood is impaired and anaemic, it carries the debility to all the system because the vivacity of human life is caused by means of the blood. This proves the necessity of having pure and rich blood, because its impoverishment may result in many afflictions such as Anaemia, Scrofula, General Debility, Pulmonary Scrofula and other diseases caused by specific germs. Prevent them by taking the Wampole Preparation."

On March 6, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17916. Misbranding of Ducro's alimentary elixir. U. S. v. 21 Bottles of Ducro's Alimentary Elixir. Default decree of condemnation, forfeiture, and destruction. (F. D. No. 25662. I. S. No. 5732. S. No. 3915.)

Examination of a sample of a drug product, known as Ducro's alimentary elixir, from the herein-described shipment having shown that the labeling bore claims of curative and therapeutic properties that the article did not possess, the Secretary of Agriculture reported the matter to the United States attorney for the District of Porto Rico.

On January 13, 1931, the United States attorney for the District of Porto Rico filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 21 bottles of Ducro's alimentary elixir, alleging that the article had been shipped by Yglesias & Co. (Inc.), New York, N. Y., on or about December 5, 1930, to San Juan, P. R., and was being sold and offered for sale in Porto Rico, by the Drug Co. of Porto Rico, San Juan, P. R., and charging misbranding in violation of the food and drugs act as amended.

Analysis of a sample of the article by this department showed that it consisted essentially of meat extract, sugar, alcohol (18.0 per cent), and water, colored with caramel.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects, appearing on the wrapper and bottle label and in the accompanying circular, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Wrapper and bottle label) "Alimentary Elixir [similar statements in French];" (circular) "Is intended as an aid in the quick rebuilding of bodily strength in the creation of red blood * * * restore vigor and vitality * * * Anemia— * * * When the nervous system is debilitated a restorative tonic is indicated and so Ducro's Elixir should be taken to help the nerves recover their tone and steadiness. Debility—In the general bodily weakness that results from exhausting diseases Ducro's Elixir may be beneficial in the restoration of strength. Fainting Spells—Many persons of frail constitution, particularly women, are subject to fainting spells. In this condition it is necessary to revitalize the body and make it strong enough to resist the weakness that overcomes it, and Ducro's Elixir is helpful for this purpose." (Similar statements in French.)

On February 5, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

17917. Adulteration and misbranding of ether. U. S. v. Thirty-five 1-Pound Cans of Ether. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25742. I. S. No. 11181. S. No. 3976.)

Samples of ether from the herein-described shipment having been found to contain peroxide, a decomposition product, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Washington.

On January 15, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of thirty-five 1-pound cans of ether, remaining in the original unbroken packages at Seattle, Wash., alleging that the article had been shipped by the J. T. Baker Chemical Co., from Phillipsburg, N. J., on or about September 7, 1930, and had been transported from the State of New Jersey into the State of Washington, and charging adulteration and misbranding in violation of the food and drugs act.